

Amendment
Serial No. 10/638,983

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REMARKS

Applicant respectfully requests reconsideration in view of the amendments made to the claims and the remarks presented herein.

Claims 1-18 are pending.

Claims 1, 2, 9, 10, 12, and 14-18 stand rejected.

Claims 3-8, 11 and 13 are objected to but would be allowable if rewritten in independent form.

Claims 1 and 12 have been amended.

Applicant thanks the Examiner for the Examiner's indication of allowable subject matter in claims 3-8, 11 and 13 if rewritten in independent form. However, in reviewing the subject matter recited in indicated to be allowable claims, applicant has elected to amend claim 1 to recite the subject matter of claim 3 in broad terms and, hence, believes that claim 1 as amended is in allowable form and not rendered obvious by the cited reasons for the arguments made below.

For the amendments made to claim 1, applicant submits that the subject matter of amendment claim 1 is in a form that is comparable to the Examiner's indication of allowable subject matter and respectfully requests that the rejections of this claim and any claim dependent therefrom be withdrawn.

With regard to the rejection of claim 12 under 35 USC 112, second paragraph, applicant has amended this claim to provide proper dependency of this claim from 11 to provide proper antecedent basis for the objected to terms.

For the amendment made to claim 12, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the rejection of claims 1-2, 9-10 and 17-18 under 35 USC § 103 as being unpatentable over Watanabe in view of Lahat and Horiuchi, applicant respectfully disagrees with and explicitly traverses the reason for rejecting the claims. However, applicant has elected to amend claim 1 to more explicitly recite that the input interface further separates a header from the electrical signal and the header processor reads a destination address using the header separated by the input interface.

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Watanabe discloses a IP packet transmission system wherein an arbitrary signal is converted to IP packets that are routed by an IP packet routing part to an optical path signal conversion part. Watanabe fails to disclose an input interface, and the Lahat reference is cited for disclosing an input interface.

However, Lahat merely discloses an input interface that converts an optical signal to the electrical signal or the electrical signal to the optical signal. Neither Watanabe nor Lahat disclose an interface that further teaches the extraction of header information in the interface and the subsequent use of the extracted header information.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met, 1. there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings, 2. there must be a reasonable expectation of success; and 3. the prior art reference must teach or suggest all the claim limitations.

In this case, a *prima facie* case of obviousness has not been made as each of the elements recited in the claims is not disclosed by the combination of the primary references.

For the amendments made to the independent claim and for the remarks made herein, applicant submits that the combination of the references fails to include all the elements recited in the claims. Accordingly, the reason for the rejection of the independent claims has been overcome and applicant respectfully requests that the rejection be withdrawn.

With regard to the rejection of claims 12 and 14-16 under 35 USC 103(a) as being unpatentable over Watanabe in view of Lahat and Horiuchi further in view of Masuda, applicant submits that these claims depend from claim 1 and that for the amendment made to claim 1 and for the arguments made above regarding the failure of Watanabe and Lahat to disclose a material element recited in the claims, these claims are also allowable by virtue of their dependency upon an allowable base claim. Applicant respectfully requests that the rejection be withdrawn.

Although the last Office Action was made final, this amendment should be entered. The claims have each been amended to include subject matter recited in further detail in claim 3, which includes subject matter which has been indicated to be in allowable form. As only language that is comparable to that indicated to be allowable has been added to the claims, no

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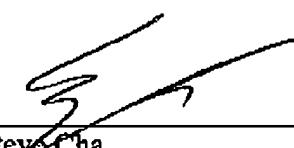
matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

For the arguments provided herein, applicant submits that all the claims are in an allowable form and respectfully requests that a Notice of Allowance be issued.

Should the Examiner deem that there are any issues which may be best resolved by telephone, please contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

Date: 24-08


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